

August 21, 2009

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
August 21, 2009

I. OPENING OF MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET,
SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD JULY 17, 2009

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR
MEETING HELD JULY 17, 2009?**

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	161.....	9
Agriculture	528.....	17
Arts Council.....	21.....	2
Capitol Development Board	44.....	0
Central Management Services	1,482.....	119
Children and Family Services	3,104.....	49
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	440.....	70
Commerce Commission.....	72.....	0
Corrections.....	11,459.....	116
Criminal Justice Authority	56.....	6
Deaf and Hard of Hearing Comm.	7.....	1
Developmental Disabilities Council	10.....	1
Emergency Management Agency	98.....	6
Employment Security.....	1,862.....	25
Environmental Protection Agency	972.....	19
Financial & Professional Regulation	515.....	41
Gaming Board.....	78.....	6
Guardianship and Advocacy	108.....	8
Healthcare and Family Services.....	2,414.....	28
Historic Preservation Agency	313.....	12
Human Rights Commission	14.....	2
Human Rights Department	149.....	10
Human Services	14,028.....	77
Insurance.....	223.....	9
Investment Board.....	3.....	2
Juvenile Justice	1,175.....	20
Labor.....	79.....	7
Labor Relations Board Educational	12.....	2
Labor Relations Board State	19.....	2
Law Enforcement Training & Standards Bd.....	21.....	1
Medical District Commission	2.....	0
Military Affairs	126.....	3
Natural Resources	1,617.....	24
Pollution Control Board.....	19.....	2
Prisoner Review Board	20.....	0
Property Tax Appeal Board	24.....	1
Public Health.....	1,131.....	44
Racing Board	2.....	0
Revenue	2,021.....	64
State Fire Marshal	146.....	13
State Police	1,390.....	6
State Police Merit Board.....	6.....	1
State Retirement Systems	81.....	2
Transportation.....	2,331.....	0
Veterans' Affairs.....	1,140.....	7
Workers' Compensation Commission	172.....	10
TOTALS	49,699.....	844

B. Governing Rule – Jurisdiction B Exemptions

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
 1. The Governor, or
 2. A departmental director or assistant director appointed by the Governor, or
 3. A board or commission appointed by the Governor, or
 4. The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
 5. In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
 6. A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutory exempt position(s), or
 7. The elected head of an independent agency in the executive, legislative, or judicial branch of government.
- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
 1. Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.
 2. Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board, or commission.
 3. Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

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C1. Illinois Emergency Management Agency – Exemption expires 8/21/09¹

Position Number	37015-50-17-000-00-03
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Senior Policy Advisor
Incumbent	Phil Anello
Supervisor	Director
Location	Sangamon County

C2. Illinois Emergency Management Agency – Exemption expires 8/21/09²

Position Number	37015-50-17-000-00-04
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Community Outreach Officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

Agency recommendation: “Due to the nature and scope of the duties of these positions, as well as the sensitivity of the issues encountered, exempt status was requested. At the time of the original request for exemption, there were union issues concerning these positions. AFSCME had petitioned the title of Public Service Administrator, Option 1 (PSA Opt. 1) into the bargaining unit. The Commission granted this temporary exemption to allow the agency to fill the much needed positions and give time for the union issue to resolve itself. The agency was advised by CMS Labor Relations that a position does not automatically lose double exemption status just because the position is included in the union. They stated there is past practice of positions that are both in the union and exempt. The agency does not intend to request the two positions be exempted from the union. Both positions serve as advisors to the IEMA Director.

During this temporary extension time, IEMA successfully filled one position and has actively sought budgetary approval for the remaining position. An Electronic Personnel Action Request (EPAR) #38735 for position 37015-50-17-000-00-03 was approved on April 3, 2009 and Mr. Phil Anello assumed the duties of the position on May 1, 2009. EPA #38733, requesting to post position 37051-50-17-000-00-04, has been approved to fill; however, due to unprecedented budgetary restraints, IEMA has not been able to fill this very critical position.”

¹ Item C1 was granted 4d(3) exemption on August 21, 2008 for a period of 12 months.

² Item C2 was granted 4d(3) exemption on August 21, 2008 for a period of 12 months

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

C1: Senior Policy Advisor, Illinois Emergency Management Agency

C2: Community Outreach Officer, Illinois Emergency Management Agency

D. Proposed rescissions in accordance with Rule 11(c) of the Rules of the Civil Service Commission

On July 17, 2009, the Executive Director sent notice to Central Management Services and each agency of the proposed rescission of the following 4d(3) exempt positions which may no longer meet the requirements for exemption. Rule 11(c) also provides that withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency.

Agenda Item	Agency	Position Number	Functional Title
D1	CMS	00501-37-06-000-01-01	Legislative Liaison
D2	CMS	40070-37-80-100-01-02	Media Administrator
D3	CMS	40070-37-80-100-01-05	Media Administrator
D4	CMS	40070-37-80-100-01-07	Media Administrator
D5	CMS	40070-37-80-100-01-08	Media Administrator
D6	CMS	40070-37-70-500-01-01	Deputy General Counsel
D7	CMS	40070-37-80-100-00-01	Statewide Media Relations
D8	CMS	40070-37-80-200-00-01	Electronic Media Services
D9	CFS	13852-16-00-320-00-01	Legislative Liaison
D10	CEO	37015-42-00-000-02-01	Associate Executive Assistant
D11	CEO	37015-42-00-210-00-01	Legislative Liaison
D12	CEO	40070-42-10-000-05-01	Asst. Dep. Dir.-Economic Dev.
D13	CEO	40070-42-25-000-05-01	Asst. Dep. Dir.-Tourism
D14	CEO	40070-42-50-000-05-01	Asst. Dep. Dir.-Community Dev.
D15	CEO	40070-42-60-000-05-01	Asst. Dep. Dir.-Tech & Industry
D16	CEO	40070-42-70-000-05-01	Asst. Dep. Dir.-Energy & Recycling
D17	CEO	40070-42-80-000-05-01	Asst. Dep. Dir.-Homeland Security
D18	EPA	40070-46-00-000-00-04	Policy Advisor
D19	EPA	40070-46-30-200-00-01	Policy Advisor
D20	DES	40070-44-00-000-01-02	Human Resources Advisory Council
D21	HFS	40070-33-00-010-00-21	Deputy Director, Admin Operations

Agenda Item	Agency	Position Number	Functional Title
D22	HFS	40070-33-00-900-00-21	Deputy Director, Policy Coordination
D23	HFS	40070-33-70-100-00-61	Assistant CFO
D24	DHS	40070-10-00-000-84-01	Executive Assistant to the Secretary
D25	DHS	40070-10-11-200-00-01	Chief, Recruitment & Selection
D26	DHS	40070-10-12-100-00-01	Special Management Assistant
D27	DPH	13851-20-03-030-10-01	Legislative Liaison
D28	DOR	37015-25-04-100-00-01	Legislative Liaison
D29	SFM	37015-50-50-001-04-84	Hispanic Liaison
D30	SFM	40070-50-50-700-00-01	Policy Advisor
D31	ISP	40070-21-00-000-00-02	Chief Policy Advisor (Public Safety)
D32	WCC	40070-50-37-000-11-01	Legislative Liaison

WILL THE COMMISSION RESCIND THE EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- D1: CMS Legislative Liaison**
- D2: CMS Media Administrator**
- D3: CMS Media Administrator**
- D4: CMS Media Administrator**
- D5: CMS Media Administrator**
- D6: CMS Deputy General Counsel**
- D7: CMS Statewide Media Relations**
- D8: CMS Electronic Media Services**
- D9: CFS Legislative Liaison**
- D10: CEO Associate Executive Assistant**
- D11: CEO Legislative Liaison**
- D12: CEO Assistant Deputy Director-Economic Development**
- D13: CEO Assistant Deputy Director-Tourism**
- D14: CEO Assistant Deputy Director-Community Development**
- D15: CEO Assistant Deputy Director-Tech. and Industry Comp.**
- D16: CEO Assistant Deputy Director-Energy and Recycling**
- D17: CEO Assistant Deputy Director-Homeland Security**
- D18: EPA Policy Advisor**
- D19: EPA Policy Advisor**
- D20: DES Human Resources Advisory Council**
- D21: HFS Deputy Director, Administrative Operations**
- D22: HFS Deputy Director, Policy Coordination**
- D23: HFS Assistant CFO**
- D24: DHS Executive Assistant to the Secretary**
- D25: DHS Chief, Recruitment and Selection**
- D26: DHS Special Management Assistant**
- D27: DPH Legislative Liaison**

- D28: DOR Legislative Liaison**
- D29: SFM Hispanic Liaison**
- D30: SFM Policy Advisor**
- D31: ISP Chief Policy Advisor (Public Safety)**
- D32: WCC Legislative Liaison**

V. CLASS SPECIFICATIONS

The following class titles were submitted for creation and revision by the Director of Central Management Services:

Position Titles:

- A. Graphic Arts Technician (revise)
- Graphic Arts Designer (revise)
- Graphic Arts Designer Advanced (create)
- Graphic Arts Designer Supervisor (revise)

Classification Analysis: “Central Management Services (CMS) Labor Relations requested a Graphic Arts class study be conducted as a result of arbitration decision number 5143. ‘CMS will conduct a study of the job duties performed by the employees in the IIS Graphics Unit who were affected by the Governor’s Executive Order (Number 2-2004).’ The positions in this study are located in Cook, Morgan and Sangamon counties. The titles in the existing Graphic Arts class series are:

- Graphic Arts Technician
- Graphic Arts Designer
- Graphic Arts Designer Supervisor

Including the Graphic Arts class series, the following position titles were identified for this study as doing graphic arts work in CMS resulting from the consolidation of work from Executive Order 2-2004:

- Administrative Assistant I
- Executive I
- Executive II
- Nuclear Safety Information Specialist II (non-code)
- Technical Manager V (non-code)

There are 24 positions affected by this class study, including vacant positions. Position questionnaires were sent to each agency, Official Position Descriptions (CMS-104) were also used in this review. The position questionnaires returned from the Graphic Arts Technicians and the Graphic Art Designers (in agencies other than CMS) indicated no significant changes in duties. The class specifications have been revised to include information that better defines basic graphic arts requirements.”

“On October 4, 2004, the Governor’s Office issued Executive Order #2 (2004) which streamlined and consolidated media related functions under the Department of Central Management Services, Illinois Office of Information and Communications (IOIC). Part II, Paragraph B of Executive Order #2 states ‘The Director of Central Management Services, in consultation with agency directors, shall determine where media relations work specific to each agency should be performed.’

The consolidation incorporated positions from different agencies, working in different class titles and in positions that are code and non-code into IOIC. The various position titles and code/non-code status created an imbalance in the IOIC, Design & Publication Section. This consolidation affected CMS-IOIC in several ways:

- 1) Created a consolidated professional graphic arts shop;
- 2) Created marketing and web image design duties;
- 3) Created a billable hourly rate schedule to sustain a revolving fund;

First, the consolidation of the IOIC area brought together unique skills that now provide Illinois state government a centrally located professional graphic arts shop. The blended personnel brought together under one roof different experiences and skills in the graphic arts field. Incumbents who may not have possessed all skills were being cross-trained to bring everyone up to the same skill level for uniform consistency.

Second, the graphic artists in IOIC no longer are not only concerned with the artistic portion of their work but also promote and market services to their assigned agencies. At the time of this study, management of IOIC was developing a brand and marketing strategies for the graphic artists. A client survey was put into production to retrieve feedback regarding services.

Third, as graphic arts services are requested, IOIC must determine how much time and material will be required to complete a project. IOIC graphics work is funded by a revolving fund which fixes an hourly billing rate for services to agencies. The review of survey questionnaires from IOIC indicates that - while different position titles are in use in this area - essentially all incumbents are doing the same type of graphic arts work. The different classifications in use today reflect the work previously performed in the predecessor agency assignment, such as supervisor of the agency graphics program. The IOIC duties that differ from the current class specifications are:

- 1) Working on multiple computer platforms; participation in the Technology Committee;
- 2) Producing the highest level of graphic design and layout;
- 3) Web graphics design;
- 4) The use of marketing strategies.

This information indicated that the development of a new classification title is warranted to better define the duties now being performed in CMS-IOIC. The proposed new class of Graphic Arts Designer Advanced will encompass these changes.”

“First and most important is the ability to work on multiple computer platforms. Incumbents not only must possess the knowledge, skill and ability to work on Microsoft and Mac computers but must support the Mac computers which involve software upgrades, installing new programs and trouble shooting. CMS Information Technology Division does not support Mac computers so this division provides their own computer support. The IOIC Design and Publication Section developed their own Technology Committee to assist in support of these needs.

Second, this field heavily relies on the use of various computer programs and software to deliver the highest quality of graphic arts type work. Knowledge, skill and experience in use of these programs is essential to insure the highest quality product is delivered.

Third, the positions at IOIC are closely involved with web graphics design and layout of web pages for state internet and intranet sites.

Fourth, as stated previously the successful marketing of their work to potential clients (state agencies) is critical to the entire section. The incumbents must be able to market their work which in turn feeds the revolving fund which funds their positions.

All graphic arts positions working outside of CMS will retain their current titles which their work has not changed significantly. The revision of the Graphic Arts Technician, Designer and Supervisor and the creation of the Graphic Arts Designer Advanced brings this classification series up-to-date with current work roles.”

Position Title:

B. Educational Diagnostician (create)

Classification Analysis: “Public Act 095-1021 extends employment under the Personnel Code to a group of contractual employees providing educational services to the Departments of Correction and Juvenile Justice effective June 1, 2009. Employees of the Macon-Piatt Regional Office of Education working in these agencies will be brought under the Personnel Code through a qualifying examination. All of the jobs performed by the contractual employees except for diagnostician work have been accommodated in the Classification Plan. To remedy this circumstance, we have developed a proposed new classification for Educational Diagnostician positions describing performance of a supportive role to that of Educators and School Psychologists by administering standardized tests, scoring test results and explaining testing outcomes in terms of appropriate norms, keeping student records of test scores, student progress and achievement. Work may additionally include student observation and orientation to the school program, and participation in discussions with professional staff and suggestions to the administrator for appropriate program placement.”

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WILL THE COMMISSION APPROVE THE CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE SEPTEMBER 1, 2009?

- A. Graphic Arts Technician (revise)**
Graphic Arts Designer (revise)
Graphic Arts Designer Advanced (create)
Graphic Arts Designer Supervisor (revise)

- B. Educational Diagnostician (create)**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VI. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2I(1), 2I(4), AND 2I(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VII. RECONVENE MEETING

VIII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	6/30/09	7/31/09	7/31/08
Aging	0	1	0
Agriculture	1	1	2
Arts Council	0	0	1
Central Management Services	2	1	4
Children and Family Services	12	11	12
Criminal Justice Authority	1	1	0
Employment Security	6	10	7
Healthcare and Family Services	16	12	9
Historic Preservation	0	1	9
Human Services	1	1	4
Law Enforcement Training Standards Board	1	0	0
Natural Resources	15	40	26
Property Tax Appeal Board	2	2	1
Revenue	1	0	0
State Police	0	0	1
State Retirement Systems	0	0	1
Transportation	3	2	5
Veteran's Affairs	1	1	2
Workers' Compensation Commission	1	0	3
Totals	63	84	87

IX. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

- **DISCHARGE**

DA-33-09

Employee	James A. Calvin, Jr.	Appeal Date	4/22/09
Agency	DHS	Decision Date	8/10/09
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Unauthorized absences; tardiness; unauthorized use of cell phone while on duty; dereliction of duty	Recommended Decision	Charges are proven and warrant discharge.

DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?

- **RULE VIOLATION**

RV-26-09

Petitioner	Clara Simms-Johnson	Appeal Date	12/29/08
Agency	HFS	Decision Date	07/30/09
Type	Rule Violation	ALJ	Andrew Barris
Allegation	Violation of Section 302.781 of Personnel Rules (prevention of reinstatement)	Proposed Finding	Petitioner was obstructed from applying for a position at HFS in violation of 20 ILCS 415/13 (3).

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSED FINDING IN THE ABOVE MATTER?

X. APPEALS DISPOSED OF WITHOUT DECISION ON THE MERITS

- **DISMISSED**

RV-24-09

Employee	Brian G. Smith	Appeal Date	12/23/08
Agency	HFS	Decision Date	07/14/09
Type	Rule Violation	ALJ	Andrew Barris
Allegation	Involuntarily reduced from Accountant Advanced to Accountant	Proposed Finding	Dismissed subject to Commission approval; withdrawn (settled).

RV-36-09

Petitioner	Kathy Jones	Appeal Date	5/14/09
Agency	DHS	Decision Date	7/14/09
Type	Rule Violation	ALJ	Andrew Barris
Allegation	Coded as not eligible for reinstatement for state employment	Proposed Finding	Dismissed subject to Commission approval; default (failure to file requested materials).

DA-37-09

Employee	William Schnidt	Appeal Date	5/17/09
Agency	DCFS	Decision Date	7/14/09
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Conduct unbecoming	Recommended Decision	Dismissed subject to Commission approval; withdrawn.

GT-43-09

Employee	Charles J. Rocek	Appeal Date	6/08/09
Agency	FPR	Decision Date	7/27/09
Type	Geographical Transfer	ALJ	Daniel Stralka
Allegation	Transferred from JRTC to Des Plaines	Recommended Decision	Dismissed subject to Commission approval; default (failure to provide contact number for telephone status conference).

GT-48-09

Employee	Marion Sirefman	Appeal Date	6/25/09
Agency	FPR	Decision Date	7/13/09
Type	Geographical Transfer	ALJ	Daniel Stralka
Allegation	Transferred from JRTC to Des Plaines	Recommended Decision	Dismissed subject to Commission approval; withdrawn.

GT-51-09

Employee	Eleni Markos	Appeal Date	6/26/09
Agency	FPR	Decision Date	7/13/09
Type	Geographical Transfer	ALJ	Daniel Stralka
Allegation	Transferred from JRTC to Des Plaines	Recommended Decision	Dismissed subject to Commission approval; withdrawn.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSED FINDINGS AND RECOMMENDED DECISIONS IN THE ABOVE MATTERS?

XI. AMENDMENT TO THE PERSONNEL RULES

Section 303.120 Furlough Program

a) Definition

- 1) Furlough is a timekeeping status in which an employee is placed for a temporary period of leave without duties or pay because of conditions that require an agency to curtail its operations; a furlough program may be either voluntary or involuntary at the discretion of the agency head. Furlough is a tool to continue State services with minimal disruption and retain valuable employees at reduced cost. The employee's employment status shall not change because of the furlough. Furlough shall not change the employee's continuous or creditable service dates for the purpose of annual evaluations, retirement or longevity, the employee's health or life insurance coverage or the employee's accrual of vacation, sick or personal time. Employees on furlough shall not be at work or on standby or on-call duty and shall not perform State work during furlough time. Furlough shall not be used when permanent or temporary layoff or emergency shut-down is appropriate. Furlough shall not be used as a substitute for permanent part-time employment. Furlough shall not be a means or form of discipline. Employees on paid military leave or other unpaid leave shall not be scheduled for furlough during the leave and shall be scheduled upon return to work if the furlough program remains in effect. "Employee" includes less than full-time, full-time, intermittent, per diem, temporary, emergency and provisional employees.
- 2) Employees excluded, if any, from the furlough program shall be identified as "furlough-exempt." A uniform, narrow definition of "furlough-exempt" shall be applied throughout the furlough program by the agency head. Furlough-exempt employees may include employees:
 - A) in 24/7 facilities, to ensure adequate service delivery and staff coverage and who would have to be replaced at a higher cost than the costs saved through furlough;
 - B) who perform critical functions of the agency, or protect the safety and health of employees, clients or patients of the agency or the public;
 - C) who are paid 100% by federal funds; and
 - D) who are in revenue-generating positions that generate more money than the costs that would be saved by furlough.

- b) Program Approval – An agency head, with prior approval from the Office of the Governor and the Director of Central management Services, may institute a furlough program. The agency shall provide advanced notification to affected employees as soon as practicable. An agency head shall indicate whether the furlough is for the entire agency or a designated division or program, the initial effective date of the program, the number of days that employees shall be on furlough and the end date of the furlough program. Agencies shall track which employees have taken furlough and the cost savings to the State.
- c) Furlough Time – Furlough time shall be scheduled in a manner that is consistent with the operating needs of the agency. Furlough may be taken in full or one-half day increments only and may be nonconsecutive. Employees on schedules with shortened workweeks shall take furlough time on a prorated basis. Sick time, vacation time, personal time, accumulated Holiday time, Earned Equivalent Time (EET), and compensatory time shall not be used to remain in pay status while on furlough. Taking a furlough day before or after a holiday shall not result in loss of pay for the holiday. Furlough time shall not count toward overtime. Conflicts regarding scheduling furlough time shall be resolved based first on the operational needs of the agency and second by continuous service date. All furlough time shall be pre-approved. Previously charged unpaid time (unexcused absence, unauthorized absence, excused absence or suspension time) shall not be used to meet an employee's furlough obligation. An agency shall not mandate that an employee take a furlough day on a holiday.
- d) Time Sheets – Furloughs shall be indicated by a daily entry of FD (Furlough Day) on an employee's time sheet.
- e) Furlough Time Value – The value of a furlough day is worth exactly the same amount of money regardless of the number of days in the pay period and is computed by dividing the annualized rate of pay by the total number of days in a work year as filed with the Department of Central Management Services. Regularly recurring items such as longevity pay, shift differential, bilingual pay, and other premium pay items that are paid each month, are included in determining the regular monthly rate. Agencies shall not use temporary or interim assignment pay to determine the value for employees on temporary or interim assignment. The value of the deducted day will be subtracted from the semi-monthly rate. Employees taking furlough on a day when their scheduled number of work hours varies from the employing agency's normal work schedule on that day are only required to furlough the number of hours in that employing agency's normal schedule. For example, an employee who is scheduled to work 10 hours on a furlough day in an agency with a normal work schedule of 7.5 hours, will furlough 7.5 hours and either work the remaining 2.5 hours or utilize benefit time (vacation, personal, accumulated Holiday, EET or compensatory time) for the remaining 2.5 hours that day. The value of such furloughed hours is determined by computing the annualized hourly rate (i.e., annual salary divided by the hours in a regular annual work schedule, 1957.5, for example) and deducting the number of furlough hours taken.

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Staff Analysis: The above section has been added to the Personnel Rules as an emergency rule to allow the State to reduce the cost of its operations while retaining valuable employees. Furlough programs must be approved by both the Director of Central Management Services as well as the Office of the Governor (through its Office of Management and Budget) before they may be implemented. This provision is not limited to the current fiscal year but may also be utilized in future years as financial conditions warrant, though the language of the proposed rule does not limit it to that only.

XII. REPORT ON THE TREATMENT OF PRIOR DISCIPLINARY INCIDENTS WHICH ARE THE SUBJECT OF PENDING GRIEVANCES

XIII. STAFF REPORT

XIV. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Friday, September 18, 2009 at 11:00 a.m. in the Commission's Chicago office.

XV. MOTION TO ADJOURN